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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,176	01/16/2004	Reiko Wachi	9319S-000617	8086
27572	7590	06/29/2006	EXAMINER	
HARNES, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			LOKE, STEVEN HO YIN	
			ART UNIT	PAPER NUMBER
			2811	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/760,176	Applicant(s) WACHI, REIKO	
	Examiner Steven Loke	Art Unit 2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1,5,10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/29/05, 6/1/06</u> | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 10 and 11 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Okamoto et al. (U.S. Patent no. 6,563,554).

In regards to claim 1, Okamoto et al. show all the elements of the claimed invention in fig. 1. It is an electro-optical device [100], comprising: a pair of substrates [4, 5]; an electro-optical material [1] held between the pair of substrates by a sealant (the structures that connected to the edges of substrates [4, 5], col. 14, line 66 to col. 15, line 4); a resin layer [11] (column 18, lines 62-64, column 44, line 9) (it is believed that the same reference numeral represents the same material in the entire specification of Okamoto et al.) provided on at least one substrate [5] of the pair of substrates in both a reflection display region [9a] and a peripheral region [10a] outside of the reflection display region [9a], the resin layer including tapers (the taper formed at the edge of region [10a] and the taper formed between regions [10a, 9a]) with a larger inclination in the reflection display region [9a] than in the peripheral region [10a]; and an electrode wiring [7] formed between the electro-optical material [1] and the tapers of the resin layer [11] at both the reflection display region [9a] and the peripheral region [10a].

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In regards to claim 10, Okamoto et al. show all the elements of the claimed invention in fig. 1. It is an electro-optical device [100], comprising: a substrate [5]; a resin layer [11] (column 18, lines 62-64, column 44, line 9) (it is believed that the same reference numeral represents the same material in the entire specification of Okamoto et al.) provided on the substrate in both a reflection display region [9a] and a peripheral region [10a] outside of the reflection display region [9a]; and an electrode [7] that continuously extends across the resin layer [11] (the electrode [7] continuously extends across the resin layer [11] from an edge of region [9a] to an edge of region [10a]) in both the reflection display region [9a] and the peripheral region [10a]; wherein tapers of the resin layer (the taper formed at the edge of region [10a] and the taper formed between regions [10a, 9a]) have a plurality of different angles.

In regards to claim 11, Okamoto et al. further disclose an electronic apparatus (col. 1, lines 10-17) comprising the electro-optical device according to Claim 1.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al.

In regards to claim 5, Okamoto et al. differ from the claimed invention by not showing the taper of the reflection display region has a first angle with a base to height ratio from

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4:1 to 2:1, and the taper in the peripheral region of the reflection display region has a second angle with a base to height ratio from 8:1 to 4:1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made for the taper of the reflection display region has a first angle with a base to height ratio from 4:1 to 2:1, and the taper in the peripheral region of the reflection display region has a second angle with a base to height ratio from 8:1 to 4:1, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

5. Claim 3 is allowed.

6. Applicant's arguments filed 4/11/06 have been fully considered but they are not persuasive.

It is urged, in page 6 of the remarks, that applicant disagrees that area [10a] is outside or outboard of the display region. However, it is believed that area [9a] is a reflection display area and area [10a] is a peripheral region outside the reflection display area [9a]. Therefore, the Okamoto et al. reference discloses a resin layer [11] and a transparent electrode [7] both within a reflection display region and outside of the reflection display region in amended Claims 1 and 10. Claim 5 is still obvious over Okamoto et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Loke whose telephone number is (571) 272-1657. The examiner can normally be reached on 8:00 am to 5:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on (571) 272-1732. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sl
June 22, 2006

Steven Loke
Primary Examiner
